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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ADAN NAVARRO, and
LIONEL CHAVEZ

Defendant.

CASE NO. 2:21-CR-191-DAD

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
ORDER

DATE: January 10, 2023
TIME: 9:30 a.m.
COURT: Hon. Dale A. Drozd

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendants, by and through their respective counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on January 10, 2023.
2. By this stipulation, defendant now moves to continue the status conference until February 21, 2023, and to exclude time between January 10, 2023, and February 21, 2023, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case includes over 990 pages of investigative reports and other documents, numerous audio and video recordings, including over 150 wiretapped phone calls, as well as other materials. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying.

1 b) Counsel for defendants desire additional time to review this discovery, conduct
2 factual investigation and legal research, confer with their clients regarding their options for
3 responding to the charges, and to otherwise prepare for trial.

4 c) In addition, counsel for defendant Lionel Chavez represents that Chavez was
5 recently in a car accident and has an appointment with an orthopedist soon to discuss treatment
6 options, possibly including surgery. Defendant Chavez is on pretrial release and living in
7 southern California.

8 d) Counsel for defendants believe that failure to grant the above-requested
9 continuance would deny them the reasonable time necessary for effective preparation, taking into
10 account the exercise of due diligence.

11 e) The government does not object to the continuance.

12 f) Based on the above-stated findings, the ends of justice served by continuing the
13 case as requested outweigh the interest of the public and the defendants in a trial within the
14 original date prescribed by the Speedy Trial Act.

15 g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
16 et seq., within which trial must commence, the time period of January 10, 2023 to February 21,
17 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
18 T4] because it results from a continuance granted by the Court at defendants' request on the basis
19 of the Court's finding that the ends of justice served by taking such action outweigh the best
20 interest of the public and the defendants in a speedy trial.

21 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
22 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
23 must commence.

24 IT IS SO STIPULATED.

1 Dated: January 3, 2023

PHILLIP A. TALBERT
United States Attorney

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3 /s/ DAVID W. SPENCER
DAVID W. SPENCER
Assistant United States Attorney

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5 Dated: January 3, 2023

6 /s/ MICHAEL D. LONG
MICHAEL D. LONG
Counsel for Defendant
ADAN NAVARRO

7
8 Dated: January 3, 2023

9 /s/ CLEMENTE M. JIMENEZ
CLEMENTE M. JIMENEZ
Counsel for Defendant
LIONEL CHAVEZ

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15 **ORDER**

16 IT IS SO ORDERED.

17 Dated: January 4, 2023

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UNITED STATES DISTRICT JUDGE